

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
NORFOLK DIVISION

UNITED STATES OF AMERICA)	CRIMINAL NO. 2:09cr70
)	
v.)	
)	
SHAWN F. ENGLE)	

SUPPLEMENTAL RESPONSE OF THE UNITED STATES
TO THE COURT'S ORDER FOR COMPETENCY HEARING

The United States of America, by and through its attorneys, Neil H. MacBride, United States Attorney for the Eastern District of Virginia, and Robert J. Krask, Assistant United States Attorney, files the following response to the Court's Order of October 13, 2009.

The Court has entered an Order directing that the defendant undergo a psychiatric or psychological examination to determine whether he is mentally competent. The Court directed the parties to submit the names of medical practitioners qualified to conduct such an examination and further indicated that it would select a practitioner "upon whom the parties agree." The defense and the United States previously agreed upon Dr. Paul Mansheim to conduct the examination. It appears, however, that other matters may prevent Dr. Mansheim from being able to expeditiously complete the task. In light of this difficulty, the United States submits that Dr. Glenn Rex Miller, Jr., a psychologist, is qualified to conduct the examination. The undersigned spoke with Dr. Miller, who advised that, barring unforeseen circumstances, he could complete the examination within thirty (30) days. Further, the undersigned has conferred with defense counsel, who advises that he has no objection to the appointment of Dr. Miller for this purpose.

Accordingly, the United States requests that the Court enter an Order selecting Dr. Miller to conduct the examination of the defendant.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I certify under penalty of perjury on this 22nd day of OCTOBER 2009, that I electronically filed the foregoing "SUPPLEMENTAL RESPONSE OF THE UNITED STATES TO THE COURT'S ORDER FOR COMPETENCY HEARING" with the Clerk of Court using the CM/ECF system, which will send notification of such filing (NEF) to the following:

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